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 THOMAS M. EAGAN (TE 1713)  
 MALOOF BROWNE & EAGAN LLC  
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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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SOMPO JAPAN INSURANCE COMPANY OF :  
 AMERICA and SOMPO JAPAN INSURANCE, :  
 INC. :

**07 Civ. 2735 (DC)**

*Plaintiffs,* :

- against -

NORFOLK SOUTHERN RAILWAY :  
 COMPANY, NORFOLK SOUTHERN :  
 CORPORATION and THE KANSAS CITY :  
 RAILWAY COMPANY :

**DECLARATION OF THOMAS  
 M. EAGAN IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR  
 SUMMARY JUDGMENT RE:  
 CANON PHOTOCOPIERS  
SHIPMENT**

*Defendants.* :

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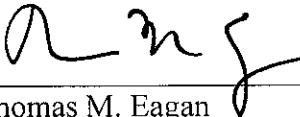
I, Thomas M. Eagan, declare that I am a member of Maloof Browne & Eagan LLC, attorneys for plaintiffs Sompo Japan Insurance Company of America and Sompo Japan Insurance, Inc.

1. Attached as Exhibit 46 is a true copy of the Declaration of Tsutomu Miyajama of Canon Finetech with Exhibit A.
2. Attached as Exhibit 47 is a true copy of the NYK bill of Lading (NYK Dep. Ex. 4).
3. Attached as Exhibit 48 is a true copy of the Deposition of Eliza Hooker of NYK Lines.

4. Attached as Exhibit 49 is a true copy of the Canon VeriClaim Survey.
5. Attached as Exhibit 50 is a true copy of the Declaration of Atsumo Sudo.
6. Attached as Exhibit 51 is a true copy of the Deposition of Patrick Davidson.
7. Attached as Exhibit 52 is a true copy of excerpts of the photographs of the Canon cargo.
8. Attached as Exhibit 53 is a true copy of the Complaint.
9. Attached as Exhibit 54 is a true copy of the Answer.

I declare the foregoing is true and correct under the penalty of perjury of the laws of the United States.

Dated: Rye, New York  
March 18, 2009

  
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Thomas M. Eagan